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*Attorneys for Defendant US BANK
NATIONAL ASSOCIATION, as Trustee*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LAS VEGAS DEVELOPMENT GROUP,)
LLC, a Nevada Limited Liability)
Company,) CASE NO. 2:13-cv-02194-APG-VCF
Plaintiff,)
v.)
SRMOF II 2012-1 TRUST, US BANK)
TRUST NATIONAL ASSOCIATION, as)
Trustee, an unknown business entity;)
MTC FINANCIAL INC. dba TRUSTEE)
CORPS, a California corporation, DOE)
individuals I through XX, ROE)
CORPORATIONS I through XX, inclusive,)
Defendants.)
JOINT MOTION TO EXTEND TIME TO
FILE DISCOVERY PLAN

Plaintiff LAS VEGAS DEVELOPMENT GROUP, LLC, (“Plaintiff”) and Defendant U.S. Bank National Association, as Trustee for SRMOF II 2012-1 Trust, (“U.S. Bank” and collectively “the Parties”), by and through their undersigned counsel of record, hereby submit their Joint Motion to Extend Time to File Discovery Plan, stating as follows:

1. The instant action is primarily a declaratory judgment and quiet title-type action related to the force, effect and interpretation of NRS 116.3116 et seq. The

1 real property at issue herein is commonly known as 5259 Aurora Beam Avenue, Las
 2 Vegas, Nevada 89122.

3 2. This action was originally filed in the Eighth Judicial District Court of
 4 Clark County, Nevada, but subsequently removed to this Court by the United States
 5 Attorney on behalf of the Department of Housing and Urban Development (“HUD”).
 6 HUD subsequently disclaimed any interest in the Property or the deed of trust at
 7 issue pursuant to a Stipulation and Order entered herein on February 13, 2014 [Dkt.
 8 No. 9]. HUD was dismissed from the action pursuant to said Stipulation and Order
 9 and a Second Amended Complaint was filed.

10 3. On February 27, 2015, Ballard Spahr LLP associated in as counsel of
 11 record for Defendant U.S. Bank, N.A. as Trustee for SRMOF II 2012-1 Trust [Dkt.
 12 27]. That same day, the parties submitted a Joint Status Report in response to the
 13 Court’s January 29, 2015 Notice Regarding Intent to Dismiss for Want of Prosecution
 14 [Dkt. 28].

15 4. In response to the parties’ Joint Status Report, on March 3, 2015, the
 16 Court issued a Minute Order directing the parties to submit a proposed discovery
 17 plan and scheduling order by March 30, 2015.

18 5. Ballard Spahr LLP has reason to believe that one or more entities other
 19 than or in addition to the currently named Defendant possesses or claims to possess
 20 an interest in the real property and/or deed of trust at issue herein.

21 6. Although Ballard Spahr LLP has made diligent efforts to determine the
 22 correct entity or entities to be named, it has received conflicting information and has
 23 not yet determined who holds an interest in the property.

24 7. As a result of this conflicting information, Ballard Spahr LLP has not
 25 yet been able to prepare and file a responsive pleading herein.

26 8. In order to provide sufficient time to identify and prepare an answer on
 27 behalf of the correct entity, the parties hereby agree to extend the deadline to amend
 28 their respective pleadings as necessary, conduct a supplemental 26(f) conference and

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1 submit a discovery plan and scheduling order by an additional 30 days from the date
 2 of the filing of this Joint Motion.

3 DATED this 30th day of March, 2015.

4	5 ROGER P. CROTEAU & ASSOCIATES, LTD.	6 By: <u>/s/ Timothy Rhoda</u> 7 Roger P. Croteau Nevada Bar No. 4958 8 Timothy Rhoda Nevada Bar No. 7878 9 9120 West Post Road Suite 100 10 Las Vegas, NV 89148 <i>Attorney for Las Vegas Development Group, LLC</i>	7 BALLARD SPAHR LLP 8 By: <u>/s/ Sylvia Semper</u> 9 Abran E. Vigil Nevada Bar No. 7548 Sylvia O. Semper Nevada Bar No. 12863 10 100 North City Parkway, Suite 1750 Las Vegas, Nevada 89106-4617 <i>Attorney for Defendant U.S. Bank National Association, as Trustee</i>
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12 IT IS SO ORDERED
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15 U.S. MAGISTRATE JUDGE
16 DATE: March 31, 2015

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